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35M1/0728

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**NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner  
☐ This notice is issued in view of applicant's communication filed \_\_\_\_\_

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/069,317	06/01/93	012	NELSON JR, M	3507 07/28/94
First Named Applicant	VIANO, DAVID C.			
TITLE OF INVENTION	VEHICLE HEADREST			

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 G11082	297-408.000	D08	UTILITY	NO	\$1170.00	10/28/94

**THE FEE DUE IS THE AMOUNT IN EFFECT AT THIS TIME. IF THE AMOUNT OF THE ISSUE FEE INCREASES PRIOR TO PAYMENT, APPLICANT WILL BE NOTIFIED OF THE BALANCE OF ISSUE FEE DUE.**

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.**

**PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY Status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
  - B. If the Status is the same, pay the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.
- III. All communications regarding this application must give series code (or filing date) and serial number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to contrary.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

**IMPORTANT REMINDER: Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/069,317 06/01/93 VIAND

D G11082

NELSON EXAMINER

35M1/0728

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ART UNIT	PAPER NUMBER
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3507

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DATE MAILED: 07/28/94

NOTICE OF ALLOWABILITY

PART I.

1. ☒ This communication is responsive to Paper No. 8 filed 6/27/94
2. ☒ All the claims being allowable; PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 1-10, 12 and 13, renumbered 1, 6, 7, 2, 3, 8, 9, 4, 5, 11, 10 and 12, respectively
4. ☒ The drawings filed on 6/1/93 are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
6. ☒ Note the attached Examiner's Amendment.
7. ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☐ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
- a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. CORRECTION IS REQUIRED.
- b. ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
- c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
- d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☒ Examiner's Amendment  
☒ Examiner Interview Summary Record, PTOL-413  
☐ Reasons for Allowance  
☐ Notice of References Cited, PTO-892  
☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152  
☐ Notice re Patent Drawings, PTO-948  
☐ Listing of Bonded Draftsmen  
☐ Other

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### Part III EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Ernest E. Helms on July 26, 1994.

The application has been amended as follows:

- (a) ✓ in **claim 1**, "means" has been deleted from each of **lines 2, 3** (both occurrences), **4, 6** and **8**;
- (b) ✓ in **line 5** of **claim 1**, "means with means of pivotal attachment" has been changed to --pivotally attached--;
- (c) ✓ in **line 7** of **claim 1**, "the" (first occurrence only) has been changed to --a--;
- (d) ✓ in **line 8** of **claim 1**, "means of" has been deleted;
- (e) ✓ --, wherein the headrest has a cushion portion and an impact target operatively associated with the cushion portion and pivotally associated with the seat back frame, wherein a force upon the impact target causes the headrest to rotate forwardly-- has been inserted after "seat" in **line 9** of **claim 1**;
- (f) ✓ in **line 1** of **claim 2**, "has" has been deleted;

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(g) in line 2 of claim 2, "a" (first occurrence only) has been deleted;

(h) in line 2 of claim 2, --is-- has been inserted after "portion";

(i) "means" has been deleted from line 2 of claim 2; and "means" has been deleted from line 3 of claim 3; and "means" has been deleted from line 2 of claim 4;

(j) in line 1 of claim 6, "an" has been changed to --said--;

(k) "plate" has been changed to --target-- in line 1 of claim 6;

(l) "the post and" has been deleted from line 2 of claim 6;

(m) "wherein" has been changed to "." in line 2 of claim 6;

(n) line 3 of claim 6 has been deleted in its entirety;

(o) "means" has been deleted in line 2 of claim 7;

(p) in line 3 of claim 7, "an" has been changed to --the--;

(q) in claim 7, "member" has been changed to --target-- in each of lines 3, 4, and 6;

(r) in line 1 of claim 10, "seat bun" (first occurrence only) has been changed to --seatback--;

(s) in claim 10, "means" has been deleted from line 2;

(t) in line 4 of claim 10, "means" has been changed to --,

12 which is operatively associated with an impact target,--;

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(u) in ~~line 6~~ of ~~claim 10~~, "the" (first occurrence only) has been changed to --a--;

C3 (v) in ~~line 6~~ of ~~claim 10~~, --contacting the impact target, thereby<sup>12</sup> has been inserted after ", ";

(w) in ~~line 7~~ of ~~claim 10~~, "and at the same time extending the headrest upward" has been deleted;

(x) in ~~claim 12~~, "means" has been deleted from each of ~~lines 2, 3~~ (both occurrences), ~~4~~ and ~~6~~; and

(y) in ~~line 5~~ of ~~claim 12~~, "means with means of pivotal attachment" has been changed to --pivotally attached--.

In addition, the following ~~new claim 13~~ has been added:

C4 ~~13~~<sup>12</sup>. A method as described in claim ~~10~~<sup>11</sup> further comprising extending the headrest upwardly.--

Claims 1-10, 12 and 13, renumbered 1, 6, 7, 2, 3, 8, 9, 4, 5, 11, 10 and 12, respectively are allowable over the prior art of record.

The drawings filed June 1, 1993 are acceptable.

Note the attached Examiner's Interview Summary Record.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milton Nelson, Jr. whose telephone number is (703) 308-2168. The examiner can normally be reached on Monday-Thursday from 6:30 AM-4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Dorner can be reached on (703) 308-0866. The fax phone number for this Group is (703) 305-3597.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

<sup>mn</sup>  
Nelson/mn  
July 27, 1994

  
**PETER R. BROWN**  
**PRIMARY EXAMINER**  
**ART UNIT 357**